

Response  
Application No. 10/073,006  
Attorney Docket No. 020174

### **REMARKS**

#### **As to the Merits:**

As to the merits of this case, the Examiner maintains the following rejection:

claims 10-12 stand rejected under 35 USC 102(e) as being anticipated Tsujino et al.<sup>1</sup>  
(U.S. Patent No. 6,903,776).

This rejection is respectfully traversed.

According to the present invention, until a recording instruction is issued, a first still image corresponding to an object scene is periodically created in such a manner as a real time display is omitted. When the recording instruction is issued, a second still image corresponding to the object scene is created and then recorded into a recording medium in a compressed state.

More specifically, a calculator calculates a specific compression ratio coefficient capable of compressing the first still image up to a specific size. The second still image is compressed by

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<sup>1</sup> It is submitted that since the present application has a filing date that falls after November 29, 1999 and the Tsujino et al. is assigned to Sanyo Electric Co., Ltd., which is the same assignee as the present application, the Tsujino et al. reference fails to qualify as prior art under 35 USC §103 in view of 35 USC §103(c).

Response

Application No. 10/073,006

Attorney Docket No. 020174

a compressor by use of the specific compression ratio coefficient. The specific compression ratio coefficient is corrected by a corrector when a compressed second still image created by the compressor fails to satisfy a size condition including the specific size. A recorder records the compressed second still image satisfying the size condition into the recording medium. Herein, the first still image and the second still image have the same resolution with each other.

Omitting a real time display of the first still image induces a tendency of a framing being prolonged, that is a tendency of an imaging device continuing to capture the same object scene. Furthermore, confirming a resolution between the first still image and the second still image improves reliability of the specific compression ratio coefficient in view of satisfying the size condition. Therefore, it is possible to shorten a time period necessary for recording the second still image.

Furthermore, securing an opportunity of correcting the specific compression ratio coefficient expands tolerance for deviance between the second still image and the first still image which is used for a calculation process of the calculator. This characteristic enables extension of a period of creating the first still image, combined with prolongation of the framing because of omitting the real time display. Therefore, it is possible to reduce power consumption and furthermore a resolution of the first still image or the second still image can be increased.

Response  
Application No. 10/073,006  
Attorney Docket No. 020174

In contrast, Tsujino et al. disclose to carry out a plurality of exposing operations respectively corresponding to a plurality of exposure amounts which are different with each other in response to an operation of a shutter button so as to record to a recording medium a plurality of object scene images in a compressed manner.

However, Tsujino et al. fail to disclose or remotely suggest anything about a constitution of the present invention which calculates the specific compression ratio coefficient based on the first still image periodically created in such a manner as a real time display is omitted until a recording instruction is issued, compresses the second still image having a resolution which is the same as that of the second still image using the specific compression ratio coefficient when the recording instruction is issued, corrects the specific compression ratio coefficient when the compressed second still image fails to satisfy the size condition, and records the compressed second still image satisfying the size condition into the recording medium.

Accordingly, it is submitted that the present claimed invention is not anticipated by Tsujino et al., and therefore, the present invention is patentable. Applicant requests such action at an early date.

Response

Application No. 10/073,006

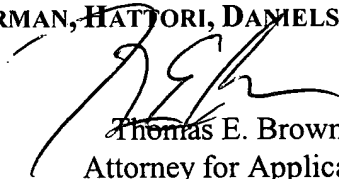
Attorney Docket No. 020174

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**



Thomas E. Brown

Attorney for Applicant

Registration No. 44,450

Telephone: (202) 822-1100

Facsimile: (202) 822-1111

TEB/jl